

HAROLD DUANE SMITH	§	
v.	§	CIVIL ACTION NO. 5:15cv182
WENDY KELLEY, ET AL.	§	

The Plaintiff Harold Smith, a former inmate of the Bowie County Correctional Center proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged violations of his constitutional rights. This Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

The Clerk sent Plaintiff a docket sheet, consent form, and *pro se* packet after he filed the lawsuit, but the mail was returned as undeliverable. Plaintiff did not notify the Court of any new mailing address or his current whereabouts. The Court thereupon issued a Report recommending the lawsuit be dismissed without prejudice for failure to prosecute. This Report was also returned as undeliverable. Thus, no objections to the Report have been received.

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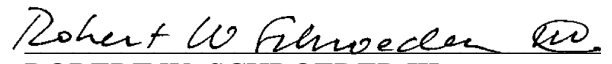
The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined the Report of the Magistrate Judge is correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). It is accordingly

ORDERED the Report of the Magistrate Judge (docket no. 6) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED the above-styled civil action is **DISMISSED** without prejudice for failure to prosecute. Finally, it is

ORDERED any and all motions which may be pending in this civil action are hereby **DENIED**.

SIGNED this 26th day of August, 2016.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE